UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

SIERRA CLUB,

Plaintiff-Intervenor,

v.

AMEREN MISSOURI,

Defendant.

Civil Action No. 4:11-cv-00077-RWS

EXHIBIT 2 TO
PLAINTIFF UNITED STATES' NOTICE REGARDING AMEREN'S NONCOMPLIANCE WITH THIS COURT'S REMEDY ORDER, AND REQUEST FOR
STATUS CONFERENCE

Case: 4:11-cv-00077-RWS Doc. #: 1149-2 Filed: 02/05/20 Page: 2 of 16 PageID #:

CHECK NO.:	CHECK RECD:
CHECK AMOUNT:	CHECK DATE:
PROJECT NUMBER:	

MISSOURI DEPARTMENT OF NATURAL RESOURCES AIR POLLUTION CONTROL PROGRAM APPLICATION FOR AUTHORITY TO CONSTRUCT All applications must be submitted with a \$100 filing fee, except amendments. An application received on or after Jan. 1, 2017, must be submitted with the following filing fee: no filing fee for an amendment; \$250 for Sections (3), (5), and (6); \$5,000 for Sections (7), (8), and (9); \$2,500 for PAL renewal. A \$50 per hour processing fee (\$75 per hour effective Jan. 1, 2017) will be assessed at the end of the review, unless no permit is required. 1.) INSTALLATION NAME Ameren Missouri Rush Island Energy Center 2) INSTALLATION STREET ADDRESS 100 Big Hollow Road. 3.) INSTALLATION MAILING ADDRESS 4.) INSTALLATION CITY ZIP CODE STATE: **Festus** 63028 MO 5.) COUNTY 1/4, OF SECTION TOWNSHIP RANGE Jefferson NE NW 4 T40 R7E 7.) FINAL PRODUCT / PRINCIPLE ACTIVITY 8.) SIC CODE Electricity / Electric Generation 9.) PARENT COMPANY Union Electric Company dba Ameren Missouri 10.) PARENT COMPANY MAILING ADDRESS 1901 Chouteau Ave. 11.) PARENT COMPANY CITY STATE ZIP CODE St. Louis MO 66149 12.) CONTACT PERSON CONTACT PERSON'S TITLE Michael J. Hutcheson Supervisor, Air Quality Permitting and Compliance 13.) CONTACT PERSON'S MAILING ADDRESS 1901 Chouteau Ave. PO Box 66149 mc 602 STATE 14.) CONTACT PERSON'S CITY ZIP CODE St. Louis MO 66149 15.) CONTACT PERSON'S TELEPHONE NUMBER WITH AREA CODE 16.) CONTACT PERSON'S FAX NUMBER 314.554.2319 314.554.4182 17.) CONTACT PERSON'S EMAIL ADDRESS mhutcheson@ameren.com 18.) UNIFIED REVIEW Yes ☐ No 🗸 19.) THIS APPLICATION IS FOR Modification or Addition to an Existing Installation [7] New Installation Amendment to Existing Permit: Permit No. _ Temporary / Pilot Plant 20.) FIPS COUNTY ID NUMBER 21.) PLANT ID NUMBER 099 099-0016 22.) PROJECTED DATE TO COMMENCE CONSTRUCTION 23.) PROJECTED DATE OF OPERATION STARTUP N/A N/A APPLICANT'S CERTIFICATION STATEMENT: I certify that I have personally examined and am familiar with the information in this application and believe that the information submitted is accurate and complete. I am aware that making a false statement or misrepresentation in this application is grounds for denying or revoking the construction permit. I may also be guilty of a misdemeanor and upon conviction, may be punished by fine or imprisonment. DATE SIGNATURE OF RESPONSISLE OFFICIA December 23, 2019 -le TYPE OR PAINT NAME OF RESPONSIBLE OFFICIAL RESPONSIBLE OFFICIAL'S TELEPHONE NUMBER WITH AREA CODE Steven C. Whitworth 314.554.4908 OFFICIAL TITLE OF RESPONSIBLE OFFICIAL Senior Director, Environmental Policy and Analysis

MO 780-1323 (07-16)

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24.) PROJECT DECSRIPTION AND NARRATIVE

Ameren Missouri is requesting a construction permit for installation of flue gas desulfurization systems on Units 1 & 2 at the Rush Island Energy Center in accordance with the recent order of Judge Sippel of the U.S. District Court Eastern District of Missouri dated September 30, 2019. Ameren Missouri has appealed the September 30 remedy decision along with an earlier 2017 liability ruling to the Eighth Circuit Court of Appeals. In the remedy order the Court determined that wet flue-gas desulfurization constituted Best Available Control Technology (BACT) and required Ameren Missouri to "operate Rush Island Units 1 and 2 in compliance with an emissions limit that is no less stringent than 0.05 lb SO2/mmBtu on a thirty-day rolling average". This permit application is intended to fulfill the requirements of the Court's order to apply for a PSD permit proposing wet FGD as BACT.

The timing of this submittal is required by the Court's Order but the engineering design, procurement and construction has been stayed until resolution of this matter by the Court of Appeals. Accordingly, Ameren is unable to provide the detailed design information of the FGD system including FGD process data, system layouts, or ancillary process unit information. Ameren intends to supplement this application and provide all design information necessary for MDNR to complete the application review and permit development in the future as an update to this application once the FGD design phase is completed, pending the outcome of the appeal.

The Ameren Missouri Rush Island Energy Center is located in Festus, Missouri, in Jefferson County. Rush Island has two coal-fired boilers with a nominal generating capacity of 630 megawatts (MW) gross each. The boilers each have an electrostatic precipitator (ESP) to reduce particulate matter (PM10) emissions. Based on Ameren's design specification for the proposed wet FGD system at Rush Island the major components of the proposed wet FGD project will likely include the following:

- A single new chimney with two flues, one flue for each unit;
- Two spray absorber towers, one for each unit, and associated equipment (such as pumps, blowers, electrical equipment, etc.);
- Limestone unloading, storage and handling systems;
- A gypsum slurry waste handling system.

The Rush Island Wet FGD Retrofit Project assumes the use of a slurry of milled limestone as the reactant in the absorber towers. Therefore, the conceptual design as described in this application includes the construction of limestone unloading, storage and handling systems and equipment, and reactant preparation equipment (if needed). Detailed information about the proposed limestone handling system, and related material handling emissions, will be provided once final design of the scrubber system has been developed.

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Emission	Information 1	for Air	Construction	Permit	Application
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INSTALLATION NAME (A.)	FIRE COUNTY (NO. /B.)	
Ameren Missouri Rush Island Energy Center	FIPS COUNTY NO. (B.) 099	PLANT NO. (C.) 0016
For a new installation, show the entire installation. For an addition to an existing insprocesses/equipment/emission points and begin the ID numbering where the exist application is for a modification or an addition to an existing emission point or unit, equipment that this modification will affect.	ing EIQ emission point number	ers leave off. If the stream point(s) or the
The Rush Island Energy Center EGUs are pulverized coal fired boilers with a tangle overfire air for additional NOx control. Currently, flue gas from the boilers passes of precipitators (ESP) and up the stack to be exhausted. Installation of the flue gas do for each unit and be followed by a single new chimney (with a flue for each unit).	ver the air preheater through	the cold side electrostatic
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Emission Information for Air Construction Permit Application
Form 1.2 Summary of Emission Points Affected by this Application (duplicate this form as needed)

NSTALLATION NAME (A.) Ameren Missouri Rush Islar	nd Energy Center	FIPS COUNTY NO B.)	PLANT NO. (C.) 0016
POINT NO. I.E. EP-01, EP-02, ETC.) (D.)	POINT DESCRIPTION (USE same description on FORM 2.0) (E.)		REFERENCE WORKSHEET(S) FORM NUMBERS USED WITH FORM 2.0 (F.)
B-1	5922 mmBtu/hr coal fired steam electric generating unit		
B-2	5922 mmBtu/hr coal fired ste	eam electric generating unit	

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Emission Information for Air Construction Permit Application Form 1.3 Plant Layout Diagram

Ameren Missouri Rush Island Energy Center	FIPS COUNTY NO.(B.)	PLANT NO. (C.) 0016
Use this page or a separate sheet to provide a Plant I Refer to the Permits Instruction Packet for		
Plant layout to be determined.		
		1
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Emission Information for Air Construction Permit Application Form 2.0 Emission Point Information (duplicate this form as needed.) INSTALLATION NAME (A.) FIPS COUNTY NO. (B.) PLANT NO. (C.) Ameren Missouri Rush Island Energy Center 099 0016 **POINT IDENTIFICATION** POINT NO. (D.) POINT DESCRIPTION (E.) B-1 (B-2 identical) Coal Fired Electric Generating Units SOURCE CLASSIFICATION CODE (SCC) (F.) MAKE (G.) MODEL (H.) YEAR (I.) 10100226 Combustion Eng. 1971 STACK/VENT PARAMETERS STACK NO. (J.) HEIGHT (FT) (K.) DIAMETER (FT) (L.) To Be Determined To Be Determined To Be Determined TEMPERATURE (F) (M.) VELOCITY (FT/MIN) (N.) FLOW RATE (STANDARD CUBIC FT/MIN) (O.) To Be Determined To Be Determined To Be Determined **OPERATING RATE/SCHEDULE** EXPECTED ANNUAL THROUGHPUT (P.) UNITS (Q.) MAXIMUM HOURLY DESIGN RATE (R.) UNITS/HR (S.) 5922 mmBtu/hr HOURS/DAY (T.) DAYS/WEEK WEEKS/YEAR 24 7 52 **AIR POLLUTION CONTROLS** Control Device Destruction/Removal Efficiency % (w.) DEVICE NO. (U.) CONTROL DEVICE DESCRIPTION (V.) PM₁₀ NOx VOC SOx CO **HAPs** TBD Wet Flue Gas Desulfurization 90-95 DEVICE NO. DESCRIPTION OF COLLECTION/SUPPRESSION SYSTEM (X.) enclosed/ducted flue **CALCULATION SECTION (Y.)** OVERALL CONTROL **EMISSION FACTOR** POTENTIAL EMISSIONS POLLUTANT **EMISSION FACTOR** EMISSION RATE (LB/HR) UNITS **EFFICIENCY** (TONS/YR) SO2 0.05 (Controlled) #/mmBtu 296.1 1297 MO 780-1323 (07-16)

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Emission Information for Air Construction Permit Application Form 2.1 Fuel Combustion Information (duplicate this form as needed.)

Ameren Missouri Rush Island	Energy Center		FIPS C 099	OUNTY NO. (B.)		99-001	
COMBUSTION EQUIPMENT		TITE ASTON		CONTRACTOR OF STREET	ut Vineye	1000 001	
POINT NO. (D.) B-1 & B-2	SCC (E.) 10100226						
(F.) EQUIPMENT DESCRIPTION (M.	AKE/MODEL)			(G.) YEAR PUT IN SI	ERVICE	(H.) MAXIM (MILLION B	UM DESIGN RATE TU/HR)
	B-1		,	1971			5922
	B-2			1971			5922
		Sum of Tota	al Max	imum Hourly Des	gn Rates		11844
FUEL INFORMATION (I.) FUEL TYPE	THE PARTY OF		1- Tal.			1997	
(I.) FUEL TYPE Oil	Gas	Coal		Other			
☑ Distillate (Fuel Oil 1-4) ☐ Residual Fuel Oil (5-6) ☐ Waste Oil	☐ Natural Gas ☐ LPG/Propane	☐ Anthracite ☑ Bituminou ☐ Lignite		□Ref □Trad	use de Wastes er (specify))	
FUEL (J.)		ANNUAL THROUGHPUT (K.)	UNITS (L.)	% SULFUR WEIGHT (M		% ASH BY WEIGHT (N.)
Coal		~ 46,000,000 (each	1)	mmBtu			
FUEL TOTALS AND WEIGH	TED AVERAGES						
Comments: Distillate oil for startup and co	al ignition only. Units	s fired with bituminous ar	nd sub-	-bituminous coals	historically		

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Emission Information for Air Construction Permit Application Form 2. T Hazardous Air Pollutant Information (duplicate this form as needed)

INSTALLATION NAME (A.)		FIPS COUNTY NO. (B.)	PLANT NO. (C.)
Ameren Missouri Rush Island	Energy Center	099	0016
Use this form to report any hazardous air pollutan instructions for this form provide a list of the HAPs control equipment reductions are applied. Be sure	at (HAP) expected to be h	ean Air Act. The amount emitted	20 nounds per year. The
POINT NO. (D.)	SCC (E.)		
HAP CHEMICAL (F.)	CAS NUMBER (G.)	AMOUNT USED OR EXPECTE HANDLED (LBS/YEAR) (H.)	UNITS (!.)
None Handled			N/A
NOTE: Attach Mate	rial Safety Data S	heets (MSDS) for Verif	ication
\$40,700,4003,(07.40)			

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MISSOURI DEPARTMENT OF NATURAL AIR POLLUTION CONTROL PROGRAM	RESOURCES			CHECK AM	OUNT:	CHECK DATE:
APPLICATION FOR AUTHORITY	TO CONSTRUC	:т		PROJECT N		
All applications must be submitted with a \$100 filing foo.	woont omendered	A	plication	received on c	r after Jan	1 2017 must be
submitted with the following filing fee: no filing fee for an a (9): \$2.500 for PAL renewal A \$50 per hour processing for	mendment; \$250 fo	r Secti	ons (3), (5), and (6); \$	5,000 for Se	ections (7), (8), an
unless no permit is required.	e (\$/5 per nour effe	ective .	Jan. 1, 20	17) will be as	sessed at t	he end of the revie
1.) INSTALLATION NAME						
Ameren Missouri Rush Island Energy Center						
2) INSTALLATION STREET ADDRESS 100 Big Hollow Road.						
3.) INSTALLATION MAILING ADDRESS						
4.) INSTALLATION CITY			STATE:		ZIP COD	E
Festus			MO		63028	
5.) COUNTY Jefferson	6.) 1/4		1/4, OF	SECTION	TOWNSH	IIP RANGE
7.) FINAL PRODUCT / PRINCIPLE ACTIVITY	NE		NW	4	T40	R7E
Electricity / Electric Generation					8.) SIC CI	ODE
9.) PARENT COMPANY						
Jnion Electric Company dba Ameren Missouri						
10.) PARENT COMPANY MAILING ADDRESS						
1901 Chouteau Ave.						
11.) PARENT COMPANY CITY St. Louis			STATE		ZIP CODE	
12.) CONTACT PERSON			МО		66149	
Michael J. Hutcheson			OT PERSON		mitting and Compliance	
13.) CONTACT PERSON'S MAILING ADDRESS		oupc	TVISOI, AII	Quality Ferri	mung and C	ompliance
1901 Chouteau Ave. PO Box 66149 mc 602						
14.) CONTACT PERSON'S CITY			STATE		ZIP CODE	
St. Louis			MO 661		66149	
15.) CONTACT PERSON'S TELEPHONE NUMBER WITH AREA CODE				ON'S FAX NUMBE	₹	
17.) CONTACT PERSON'S EMAIL ADDRESS		314.5	54.4182			
nhutcheson@ameren.com						
18.) UNIFIED REVIEW						
Yes No 7 19.) THIS APPLICATION IS FOR						
,						
Modification or Addition to an Existing Installation	New Installation [
Amendment to Existing Permit: Permit No	Ter	nporar	y / Pilot P	lant []		
20.) FIPS COUNTY ID NUMBER:	21.) PLANT	ID NUMB	ER			
99	099-0016	3				
2.) PROJECTED DATE TO COMMENCE CONSTRUCTION		CTED DA	TE OF OPERA	ATION STARTUP		
IA .	N/A					
DDI IOANTIO GEDTIFICATION CO.						
APPLICANT'S CERTIFICATION STATEMENT: I certify that pplication and believe that the information submitted is according to the submitted of the property of the submitted in the	at I have personally e	examir	ned and a	m familiar wit	h the inforn	nation in this
more presentation in this application is grounds for penving (or revoking the cons	. i am a structio	aware ina In permit	t making a ta I may also be	lse stateme	ent or
pon conviction, may be punished by fine or imprisonment.	0			· may also be	guilty of a	miscemeanor and
GNATURE OF RESPONDED LE OFFICIAL			DATE			
YPE OR PRINT NAME OF RESPONSIBLE OFFICIAL				ber 23, 2019		
even C. Whitworth			RESPON	SIBLE OFFICIAL'S	TELEPHONE N	UMBER WITH AREA COD
FFICIAL TITLE OF RESPONSIBLE OFFICIAL			314.55	4.4500		
enior Director, Environmental Policy and Analysis						
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Emission Information for Air Construction Permit Application

The state of the s			
Form 1.1 Process Flow Diagram for Facility According to Proposed Appli	cation		
INSTALLATION NAME (A.)	FIPS COUNTY NO. (B.)	PLANT NO. (C.)	_
Ameren Missouri Rush Island Energy Center	099	0016	

For a new installation, show the entire installation. For an addition to an existing installation, show only the new processes/equipment/emission points and begin the ID numbering where the existing EIQ emission point numbers leave off. If the application is for a modification or an addition to an existing emission point or unit, show the upstream and downstream point(s) or the equipment that this modification will affect.

The Rush Island Energy Center EGUs are pulverized coal fired boilers with a tangiential low NOx burner arrangement with separated overfire air for additional NOx control. Currently, flue gas from the boilers passes over the air preheater through the cold side electrostatic precipitators (ESP) and up the stack to be exhausted. Installation of the flue gas desulfurization systems is expected to be after the ESPs for each unit and be followed by a single new chimney (with a flue for each unit).

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Emission Information for Air Construction Permit Application
Form 1.2 Summary of Emission Points Affected by this Application (duplicate this form as needed)

NSTALLATION NAME (A.) Meren Missouri Rush Islar	nd Energy Center	FIPS COUNTY NO B.)	PLANT NO. (C.) 0016
OINT NO. I.E. EP-01, EP-02, ITC.) (D.)	POINT DESCRIPTION (USE same description on FORM 2.0) (E.)		REFERENCE WORKSHEET(S) FORM NUMBERS USED WITH FORM 2.0 (F.)
B-1	5922 mmBtu/hr coal fired ste	am electric generating unit	
B-2	5922 mmBtu/hr coal fired ste	am electric generating unit	
			h

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Emission Information for Air Construction Permit Application Form 1.3 Plant Layout Diagram

INSTALLATION NAME (A.) Ameren Missouri Rush Island Energy Center	FIPS COUNTY NO.(B.)	PLANT NO. (C.)							
		0016							
Use this page or a separate sheet to provide a Plant Layout Diagram. Refer to the Permits Instruction Packet for details.									
Plant layout to be determined.									
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Emission Information for Air Construction Permit Application Form 2.0 Emission Point Information (duplicate this form as needed.) INSTALLATION NAME (A.) FIPS COUNTY NO. (B.) PLANT NO. (C.) Ameren Missouri Rush Island Energy Center 099 0016 **POINT IDENTIFICATION** POINT NO. (D.) POINT DESCRIPTION (E.) B-1 (B-2 identical) Coal Fired Electric Generating Units SOURCE CLASSIFICATION CODE (SCC) (F.) MAKE (G.) MODEL (H.) YEAR (I.) 10100226 Combustion Eng. 1971 STACK/VENT PARAMETERS STACK NO. (J.) HEIGHT (FT) (K.) DIAMETER (FT) (L.) To Be Determined To Be Determined To Be Determined TEMPERATURE (F) (M.) VELOCITY (FT/MIN) (N.) FLOW RATE (STANDARD CUBIC FT/MIN) (O.) To Be Determined To Be Determined To Be Determined **OPERATING RATE/SCHEDULE** UNITS (Q.) EXPECTED ANNUAL THROUGHPUT (P.) MAXIMUM HOURLY DESIGN RATE (R.) UNITS/HR (S.) 5922 mmBtu/hr HOURS/DAY (T.) DAYS/WEEK WEEKS/YEAR 24 7 52 **AIR POLLUTION CONTROLS** Control Device Destruction/Removal Efficiency % (w.) DEVICE NO. (U.) CONTROL DEVICE DESCRIPTION (V.) PM10 NOx SOx VOC CO **HAPs** TBD Wet Flue Gas Desulfurization 90-95 DEVICE NO. DESCRIPTION OF COLLECTION/SUPPRESSION SYSTEM (X.) enclosed/ducted flue **CALCULATION SECTION (Y.) EMISSION FACTOR OVERALL CONTROL** POTENTIAL EMISSIONS POLLUTANT **EMISSION FACTOR** EMISSION RATE (LB/HR) UNITS **FEEICIENCY** (TONS/YR) SO2 0.05 (Controlled) #/mmBtu 296.1 1297 MO 780-1323 (07-16)

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Emission Information for Air Construction Permit Application Form 2.1 Fuel Combustion Information (duplicate this form as needed.)

I a second secon			COUNTY NO. (B.)			PLANT NO. (C.)	
Ameren Missouri Rush Island Energy Center 099 COMBUSTION EQUIPMENT INFORMATION				099-0016			
		是 自1996年,1996期	E [35]	可是原本學問題	A STREET	包里辛	经验证 1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.
POINT NO. (D.) B-1 & B-2	scc (E.) 10100226						
(F.) EQUIPMENT DESCRIPTION (MAKE/MODEL)		(G.) YEAR PUT IN SERVICE		(H.) MAXIMUM DESIGN RATE (MILLION BTU/HR)			
B-1		1971		5922			
B-2		1971		5922			
			kimum Hourly Design Rates		11844		
FUEL INFORMATION (I.) FUEL TYPE		AND THE RESERVE	神祖	100	No. III		() [1] [1] [1] [1] [1] [1] [1] [1] [1] [1]
Oil	Gas	Coal		Othe	r		
☑ Distillate (Fuel Oil 1-4) ☐ Residual Fuel Oil (5-6) ☐ Waste Oil	☐ Natural Gas ☐ LPG/Propane	☐ Anthracite ☑ Bituminou ☐ Lignite	e IS	☐Refuse ☐Trade Wastes ☐Other (specify)			
FUEL (J.)		ANNUAL THROUGHPUT (K.)	UNITS (L.)	% SULFUR WEIGHT (M		% ASH BY WEIGHT (N.)
Coal		~ 46,000,000 (each	1)	mmBtu			
FUEL TOTALS AND WEIGHT	TED AVERAGES						
Comments:							
Distillate oil for startup and coa	al ignition only. Units	fired with bituminous an	nd sub-	bituminous coal	s historically.		
MO 780-1323 (07-16)							

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Emission Information for Air Construction Permit Application Form 2. T Hazardous Air Pollutant Information (duplicate this form as needed) INSTALLATION NAME (A.) FIPS COUNTY NO. (B.) PLANT NO. (C.) Ameren Missouri Rush Island Energy Center 099 0016 Use this form to report any hazardous air pollutant (HAP) expected to be handled in amounts greater than 20 pounds per year. The instructions for this form provide a list of the HAPs regulated under the Clean Air Act. The amount emitted should be reported before control equipment reductions are applied. Be sure to include the MSDS for any material containing HAPs. SCC (E.) POINT NO. (D.) AMOUNT USED OR EXPECTED TO BE HANDLED (LBS/YEAR) HAP CHEMICAL CAS NUMBER (H.) UNITS (F.) (G.) (l.) None Handled N/A NOTE: Attach Material Safety Data Sheets (MSDS) for Verification Comments:

MO 780-1323 (07-16)